IRELL & MANELLA, LLP KIRKLAND & ELLIS LLP 1 MARK A. PALS, P.C. (pro hac vice) mpals@kirkland.com MARCUS E. SERNEL (pro hac vice) DAVID I. GINDLER (SBN 117824) dgindler@irell.com JOSEPH M. LIPNER (SBN 155735) jlipner@irell.com msernel@kirkland.com 3 1800 Avenue of the Stars 300 North La Salle Los Angeles, CA 90067 Chicago, IL 60654 4 (310)277-1010(o); (310)203-7199(f) (312)862-2000(o); (312)862-2200(f) Attorneys for Defendant FILED CLERK, U.S. DISTRICT COURT 5 **DURIE TANGRI LLP** DARALYN J. DURIE (SBN 169825) 6 ddurie@durietangri.com MARK A. LEMLEY (SBN 155830) 7 MAY - 6 2010 mlemley@durietangri.com 217 Leidesdorff Street 8 DISTRICT OF CALIFORNIA San Francisco, CA 94111 Telephone: (415) 362-6666 Facsimile: (415) 236-6300 9 10 Attorneys for Defendant GENENTECH, INC. 11 UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA 12 WESTERN DIVISION 13 Case No. CV 08-03573 MRP (JEMx) ENTOCOR ORTHO BIOTECH, INC., Plaintiff, [PROPOSED] QRDER TO FILE UNDER 15 చ్ర ٧. ≧ SEAL 16 GENENTECH, INC., and CITY OF **TBA** Date: HOPE, 17 TBA Time: Hon. Mariana R. Pfaelzer Defendants. Judge: 18 Ctrm: 12 GENENTECH, INC. AND CITY OF HOPE, 19 Counter-Plaintiffs, 20 v. 21 CENTOCOR ORTHO BIOTECH, INC., 22 Counter-Defendant, 23 AND GLOBAL PHARMACEUTICAL 24 SUPPLY GROUP, LLC, CENTOCOR 25 BIOLOGICS, LLC, AND JOM PHARMACEUTICAL SERVICES, INC., 26 Third-Party Defendants. 27 28

[PROPOSED] ORDER TO FILE UNDER SEAL / Case No. CV 08-03573 MRP (JEMx)

ORIGINAL

IT IS HEREBY ORDERED THAT Defendants' Application to File Under 1 2 Seal is GRANTED as follows: Defendants Genentech, Inc. and City of Hope's Opposition to Plaintiff's Ex 3 Parte Application to Compel Disclosure of Inappropriately Withheld Information and 4 Exhibits A, B, C, D, E and J to the Declaration of Aaron M. Nathan in 5 2. Support of Defendants Genentech, Inc. and City of Hope's Opposition to Plaintiff's Ex 6 Parte Application to Compel Disclosure of Inappropriately Withheld Information be filed 7 under seal. 8 No persons other than the Court and counsel of record are authorized to 3. 9 inspect the above-listed records filed under seal. 10 IT IS SO ORDERED. 11 12 13 United States District Judge 14 15 Prepared and submitted by: 16 17 18 By: /s/ Daralyn J. Durie 19 Daralyn J. Durie Mark Lemley 20 217 Leidesdorff Street San Francisco, CA 94111 21 22 Attorneys for Defendant 23 GENENTECH, INC. 24 25 26 27

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CERTIFICATE OF SERVICE 1 I certify that all counsel of record are being served on May 5, 2010 with a 2 copy of this document via the Court's CM/ECF system. 3 Bruce G. Chapman, Esq. bchapman@cblh.com 4 kfraser@cblh.com Keith D. Fraser, Esq. 5 Dianne B. Elderkin, Esq. delderkin@akingump.com 6 bmullin@akingump.com Barbara L. Mullin, Esq. 7 smaslowski@akingump.com Steven D. Maslowski, Esq. 8 averrecchio@akingump.com Angela Verrecchio, Esq. 9 mpearson@akingump.com Matthew A. Pearson, Esq. 10 rmunoz@akingump.com Rubén H. Muñoz, Esq. 11 12 I declare under penalty of perjury under the laws of the United States of 13 America that the foregoing is true and correct. Executed on May 4, 2010, at San 14 Francisco, California. 15 16 /s/ Margaret Ann Franz Margaret Ann Franz 17 18 19 20 21 22 23 24 25 26 27 28